

Pymont Land Leasing.

31 1890

AN ORDINANCE to authorize the demising or letting on Building or Occupation Lease of certain land situate in Point Street, Pymont, near Sydney, adjoining the land upon which St. Bartholomew's Church Pymont, and the buildings in connection therewith are erected, and to provide for the application of the rents and profits thereof.

(Assented to 17 November, 1890.)

WHEREAS by Conveyance bearing date the tenth day of November one thousand eight hundred and fifty-five, made between Edward Macarthur of the one part and the Bishop of Sydney of the other part, a piece or parcel of land and hereditaments, of which the land described in the Schedule hereto forms part, was conveyed and assured unto and to the use of the Bishop of Sydney and his successors upon trust to permit and suffer to be erected and built upon the said piece or parcel of land a Church or Chapel and Minister's Dwelling and School House of the United Church of England and Ireland with the appurtenances thereto belonging and also to permit and suffer the same or any part thereof to be used as a Burial Ground of the said United Church of England and Ireland, and to stand possessed of the said land, Church or Chapel, Minister's Dwelling, School House, and Burial Ground upon the trusts and to and for the ends, intents and purposes and with under and subject to the powers, provisos declarations and agreements mentioned expressed and declared in and by a certain Act of the Governor and Legislative Council of the Colony of New South Wales made and passed in the seventh year of the Reign of His late Majesty King William the Fourth intituled "An Act to promote the building of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales." And in and by another Act of the Governor and Legislative Council made and passed in the eighth

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year of the reign of His late Majesty King William the Fourth intituled "An Act to regulate the temporal affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales." And in and by any other Act of the Governor and Legislative Council of the said Colony then or thereafter to be made and passed which did or should in any manner affect or regulate the temporal affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales or for such other purposes as the Bishop of Sydney should from time to time determine. And whereas a Church Minister's Dwelling and School House have been erected upon a portion of the land comprised in the said Conveyance but no part thereof has been used as a Burial Ground. And whereas the land described in the Schedule hereto has never been used for any of the purposes aforesaid and the same is vacant and unproductive and by reason of the number of persons resident in the neighbourhood of the said land and of other circumstances which have occurred since the creation of the said trust it has become inexpedient to carry out or observe the purposes of a Burial Ground or any of the other particular purposes for which the said land described in the said Schedule hereto is by such trusts devoted. And whereas it is expedient that the same should be demised or let on building or occupation lease or leases for any term or terms not exceeding fifty years and that the rents and proceeds thereof should be applied in manner hereinafter provided. The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the United Church of England and Ireland within the Colony of New South Wales and of all powers vested in the said Synod by the "Sydney Bishopric and Church Property Act of 1887" and by the "Church of England Property

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Act of 1889" or otherwise ordains declares directs and rules as follows that is to say:—

1. By reason of the circumstances which have occurred since the creation of the said recited trust upon which the land described in the Schedule hereto is held as aforesaid it has become inexpedient to carry out or observe the particular purposes or any of them to which the said land is by the said trust devoted.

2. The said land described in the Schedule hereto or any part or parts thereof may be demised or let on occupation or building lease or leases and either in one lot or in several lots for such term or terms not exceeding fifty years to take effect in possession and at such rent or rents and upon such conditions as the Bishop of Sydney or his Commissary for the time being or in case the See be vacant the Administrator of the Diocese may deem expedient freed from such trusts as aforesaid.

3. The Churchwardens for the time being of the said Church of Saint Bartholomew Pymont are hereby appointed to receive from the Lessee or Lessees of the said land the rents payable under any such lease or leases as aforesaid and shall apply the same (after payment thereof of the expenses of and incidental to this Ordinance and the said lease or leases) to or for all or any of the purposes hereinafter mentioned that is to say:—In or towards the payment of the stipend of the Clergyman duly appointed to officiate at the said Church; in or towards the repairing of the said Church or the Parsonage or School in connection therewith; in or towards the payment of any debt that may be owing on the said Church property and the interest thereon or for such other purposes in connection with the said Church and Parish as the Clergyman and Churchwardens of the said Church may from time to time determine.

4. This Ordinance shall be styled and cited as "The St. Bartholomew's Pymont Church Land Leasing Ordinance of 1890."

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THE SCHEDULE.

All that piece or parcel of land situate at Pyrmont in the County of Cumberland and Colony of New South Wales commencing at a point on the Eastern side of Point Street and distant two hundred and forty-five feet two inches or thereabouts from the intersection of that Street with the Northern side of Church Street and bounded on the West by Point Street bearing North-westerly ninety-feet on the North by a line bearing North-easterly fifty-one feet dividing the said land from allotment number fifteen on the East by a line bearing South-easterly ninety feet and on the South by a line bearing South-westerly seventy-six feet seven inches to the point of commencement in Point Street aforesaid be the said several dimensions all more or less.
